

### REMARKS

In response to the above-noted Office Action, Applicant has amended claims 1, 31, and 32 in response to the rejections of record.

Regarding the rejection of claims 1-6, 8-15, 18-23, 26-28 and 31-32 as being indefinite under 35 U.S.C. 112, second paragraph, Applicant has amended claims 1 and 31 to add the language --to obtain an extraction mixture-- after “solution” as suggested by the Examiner. In addition, Applicant has amended claim 1 changing “a powder with a particle size” to --a powder to a particle size-- in line two as suggested by the Examiner. Additionally, Applicant has amended claim 32 changing “solvent” to --solution-- in order to provide proper antecedent basis. In view of the foregoing, reconsideration and withdrawal of the rejection under 35 U.S.C. 112, second paragraph, is requested.

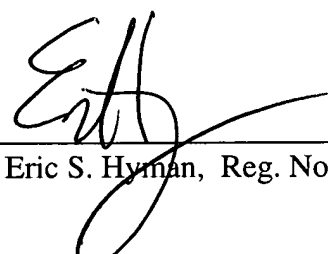
Claims 1-4, 13-15 and 18 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103 as obvious over Masaki. In response, Applicant has amended claim 1 to incorporate the limitation from allowed claim 5 which has been cancelled and limitations from allowed claim 31. Inasmuch as the remaining claims depend from claim 1 which has been amended to include the limitations of previously allowed claims, it is submitted that all of the claims pending for examination, namely claims 1-4, 6, 8-15, 18-23, 26-28 and 31-32 are in condition for allowance, which early action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

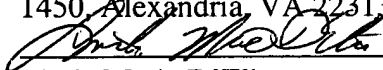
Dated: December 7, 2004

By:   
Eric S. Hyman, Reg. No. 30,139

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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope Addressed To: Mail Stop Amendments, Commissioner For Patents P.O. Box 1450, Alexandria, VA 22313-1450

 12/7/2004  
Linda Marie D'Elia December 7, 2004